

MANDATE

1:10-cv-03617-WHP

UNITED STATES COURT OF APPEALS
for the
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the twelfth day of September, two thousand and fourteen,

Ms. Susan Levy,

ORDER

Docket Number: 14-3133

Intervenor Plaintiff - Appellant,

v.

Gregory Galan, Frederick W. DeVito, Russell W. Andrews,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: **October 20, 2014**

Plaintiffs - Appellees,

Lawrence Waxman, Richard White, Keith Kornell,

Consolidated Plaintiffs - Appellees,

v.

F.W. DeVito, Inc., David W. DeVito, Mary T. DeVito, Moore Capital Management, LP, Moore Capital Advisors, LLC, Moore Advisors, Ltd., John Does 1-10, Moore Capital Management, LLC, World Trade Futures, Inc., Alan Kleinstein, Dominick Terrone, John Sakulich, Frederick Ferriola, Richard Trifoglio, Peter Venus, Lauren Ladd, Joseph Hollschultz, Toni Celli, Anthony Monti, Steven Farrell, Rocky Esposito, Lawrence Favuzza,

Defendants - Appellees,

Christopher Pia, Moore Macro Fund, LP, Moore Global Fixed Income Master Fund, LP, MF Global, Inc., Louis Bacon, Eugene Burger, Joseph Welsh,

Consolidated Defendants - Appellees,

MANDATE ISSUED ON 10/20/2014

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James W. Giddens, Trustee for MF Global Inc.,

Trustee - Appellee.

A notice of appeal was filed on August 15, 2014. The filing fee of \$505.00 was due to be paid to the district court by August 29, 2014. The case is deemed in default.

Instructions for moving for *in forma pauperis* status are provided in the Court's instructions entitled "*How to Appeal a Civil Case in the United States Court of Appeals for the Second Circuit*". The manual and the forms required to file the motion were mailed to appellant at the beginning of the case. They are also available on the Court's website www.ca2.uscourts.gov.

IT IS HEREBY ORDERED that the appeal is dismissed effective October 3, 2014 unless by that date appellant either pays the fee in full, moves for *in forma pauperis* status in district court or, if district court has denied *in forma pauperis* status, moves in this Court for *in forma pauperis* status. If appellant has filed the motion in district court and the motion is pending, appellant must so advise this Court in writing by the same date.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


Catherine O'Hagan Wolfe